

JUDGE PAULEY

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

Sankofa Bey Sekou

**DOCKET #**

**Plaintiff,**

V<sub>S</sub>.

**DEMAND FOR JURY TRIAL**

THE CITY OF NEW YORK; NEW YORK  
CITY POLICE COMMISSIONER RAYMOND  
KELLY, in his individual and official capacity;  
MAYOR MICHAEL BLOOMBERG, in his  
individual and official capacity;  
NEW YORK CITY POLICE OFFICER  
FRED BARRAZA, in his individual capacity;  
NEW YORK CITY POLICE OFFICER  
PIMENTEL, in his individual capacity;  
NEW YORK CITY POLICE SERGEANT OF 110<sup>TH</sup> PRECINCT OF  
UNKNOWN BADGE, in his individual capacity;  
and NEW YORK CITY POLICE OFFICERS, JOHN DOES #1 and  
10 INCLUSIVE, in their individual capacities;  
THE CITY OF NEW YORK OFFICE OF THE COMPTROLLER  
MIHAI POPA  
USED-THINGS STORE CORP.  
LUCERO OF USED-THINGS STORE CORP  
CRAIGSLIST, INC.

### **Defendants,**

## **PRELIMINARY STATEMENT**

1. This is a civil rights action brought by Plaintiff Sankofa Bey Sekou to seek relief for Defendants' violation of his rights, privileges, and immunities secured by the Civil Rights Act of 1871, 42 U.S.C. § 1983, the Fourth and Fourteenth Amendments to the United States Constitution, Title VI of the Civil Rights

Act of 1964, 42 U.S.C. § 2000(d), *et seq.* ("Title VI"), and the Constitution and laws of the State of New York.

2. The Defendants in this action, the City of New York ("City"), New York City Police Commissioner Raymond Kelly ("Kelly"), the Mayor of the City of New York, Michael Bloomberg ("Bloomberg") and New York City Police Officers Fred Barraza, Pimental, Sergeant of the 110<sup>th</sup> Precinct of the NYPD, Jane Doe and John Does I and 10 inclusive, have implemented and are continuing to enforce, encourage and sanction a policy, practice and/or custom of unconstitutional detentions, "sting operations, malicious prosecutions and frisks of City residents by the New York Police Department ("NYPD").
3. As a result of the said policy, plaintiff on the day of September 28, 2010, was descended upon by a violent MOB OF POLICE OFFICERS OF THE NYPD, 110<sup>th</sup> PRECINCT, who grabbed, shackled, confined, chained, violently struck, beat and dehumanized him and falsely accused him of being in possession of stolen property, which was plaintiff's lawfully acquired private property for which he possessed proof of purchase, store receipt and actual location of store .

4. As a result of the said policy, plaintiff on the day of September 28, 2010, plaintiff was viciously and brutally attacked, beaten, kicked, bruised, injured, and his physical body damaged and tortured as though he was not human.
5. Without JUST CAUSE, a violent MOB OF POLICE OFFICERS OF THE NYPD, 110<sup>th</sup> PRECINCT, which included, but not limited to, OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE, violently attacked the plaintiff in violation of the Equal Protection Clause of the Fourteenth Amendment of the United States Constitution.
6. The NYPD's widespread constitutional abuses have flourished as a result of, and are directly and proximately caused by, policies, practices and/or customs devised, implemented and enforced by the City, Kelly and Bloomberg. The City, Kelly and Bloomberg, and a violent MOB OF POLICE OFFICERS OF THE NYPD, 110<sup>th</sup> PRECINCT, which included, but not limited to, OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY

OF SEPT 28, 2010, AND OFFICERS **JOHN/JANE DOES 1**  
**TO 10 INCLUSIVE**, have acted with deliberate indifference to  
the constitutional rights of plaintiff Sean Jerrick and have  
irreparably damaged him.

7. The City, Kelly and Bloomberg have acted with deliberate indifference to the constitutional rights of plaintiff by: (a) failing to properly screen, train, and supervise NYPD officers, (b) inadequately monitoring NYPD officers and their stop and frisk practices, (c) failing to sufficiently discipline NYPD officers who engage in constitutional abuses, and (d) encouraging, sanctioning and failing to rectify the NYPD's unconstitutional practices.
8. As a direct and proximate result of defendants' policies, practices and/or customs, plaintiff was subjected to violent and malicious unconstitutional seizure, confiscation, brutality, and dehumanization by the named NYPD officers in this complaint.

### **JURISDICTION**

Jurisdiction is conferred upon this Court under 28 U.S.C. §§ 1331 and 1343(3) and (4), as this action seeks redress for the violation of Plaintiff's constitutional and civil rights. Plaintiff's claims for declaratory and

injunctive relief are authorized by 28 U.S.C. §§ 2201 and 2202 and Rule 57 of the Federal Rules of Civil Procedure.

9. Plaintiff further invoke this Court's supplemental jurisdiction, pursuant to 28 U.S.C. § 1337(a), over any and all state constitutional and state law claims that are so related to the claims within the original jurisdiction of this Court that they form part of the same case or controversy.

**VENUE**

10. Venue is proper in the United States District Court for the Southern District of New York pursuant to 28 U.S.C. § 1331 (b) and (c).

**JURY DEMAND**

11. Plaintiff demands trial by jury in this action on each and every one of his claims.

**PARTIES**

12. Plaintiff Sankofa Bey Sekou ("Bey") is an African-American who resides in the Borough of Queens, where active and rampant frisks, stops, and unconstitutional seizures take place daily.

## DEFENDANTS

13. Defendant CITY OF NEW YORK ("City") is a municipal entity created and authorized under the laws of the State of New York. It is authorized under the laws of the State of New York to maintain a police department, the NYPD, which acts as its agent in the area of law enforcement and for which it is ultimately responsible. The City assumes the risks incidental to the maintenance of a police force and the employment of police officers. The NYPD's operations include the operations as described herein. On information and belief, the law enforcement activities of the NYPD are funded, in part, with funds from the federal government.
14. Defendant New York City Police Commissioner RAYMOND KELLY is and was, at all times relevant herein, the Police Commissioner for the City, and is and was responsible for, and the chief architect of, the policies, practices and or customs of the NYPD, a municipal agency of the City. He is and was, at all times relevant herein, responsible for the hiring, screening, training, retention, supervision, discipline, counseling and control of the police officers under his command who are or

were employed by the NYPD, including the Defendants named herein. He is sued individually and in his official capacity.

15. Defendants NEW YORK CITY POLICE OFFICERS which included, but not limited to, OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE are or were, at all times relevant herein, officers, employees, and agents of the NYPD, a municipal agency of the City.  
Defendants NEW YORK CITY POLICE OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE, are sued in their individual capacities.
16. Defendant MICHAEL BLOOMBERG is and was, at all times relevant herein, the Mayor of the City of New York and the chief policy making official for the City and its departments, including the NYPD. He is sued in both his individual and official capacities.

17. At all times relevant herein, Defendants NEW YORK CITY POLICE OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE, Kelly and Bloomberg have acted under color of state law in the course and scope of their duties and functions as agents, employees, and officers of the City and/or the NYPD in engaging in the conduct described herein. At all times relevant herein, Defendants have acted for and on behalf of the City and/or the NYPD with the power and authority vested in them as officers, agents and employees of the City and/or the NYPD and incidental to the lawful pursuit of their duties as officers, employees and agents of the City and/or the NYPD.

18. At all times relevant herein, Defendants NEW YORK CITY POLICE OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE, Kelly and Bloomberg have violated clearly established constitutional

standards under the Fourth Amendment and the Equal Protection Clause of the Fourteenth Amendment of which a reasonable person would have known.

19. Defendant, MIHAI POPA, is the individual who falsely reported to the police about an alleged missing bicycle which lawfully belonged to plaintiff, but upon information and belief appears to be an agent of the NYPD working in concert with them in sting operations, by responding to a listing placed on CRAIGSLIST.
20. Defendant, USED THINGS STORE CORP and LUCERO OF USED THINGS STORE CORP, are the entities that plaintiff purchased the bicycle in this action from on 9/28/2010.
21. Defendant, CRAIGSLIST is sued here solely to produce and reveal the identification of MIHAI POPA, who used their database to respond to the listing placed on their web site by plaintiff.

#### **STATEMENT OF FACTS**

22. Plaintiff repeats and re-alleges paragraphs from one to twenty-one above as if fully set herein.
23. On the day of September 28, 2010, plaintiff bought a WINDSOR SPEED 56CM FRAME BICYCLE, from defendant

USED-THINGS STORE CORP, and subsequently listed it on CRAIGSLIST TO RE-SELL ON THE SAME DAY. (Please see the proof of purchase as exhibit A, copy of the listing on CRIAGSLIST as exhibit B, and a copy of the picture of the said bicycle as exhibit C, all attached herein and fully incorporated.)

24. On the same day, 9/28/2010, a certain individual now identified as defendant MIHAI POPA, responded to plaintiff's posting on CRAIGSLIST and offered to purchase the said bicycle.
25. Plaintiff and defendant MIHAI POPA agreed to meet on 9/28/2010, to consummate the transaction.
26. On or about 6:00 pm and 7:00 pm, plaintiff arrived at the pre-agreed location to transact a lawful exchange with this alleged "buyer"
27. But to his dismay, shock, perplexity, when he arrived at the location on 111 Street and Roosevelt Avenue with the bicycle, he was swooped down upon by a violent MOB OF NEW YORK CITY POLICE DEPARTMENT OFFICERS from the 110<sup>th</sup> precinct, including but not limited to, FRED BARRAZA, TAX REG# 941395, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE who literally emerged from nowhere and came

hauling profanities, curse words, totting guns, and commanding plaintiff to go on the ground.

28. The violent MOB OF NEW YORK CITY POLICE DEPARTMENT OFFICERS from the 110<sup>th</sup> precinct, including but not limited to, FRED BARRAZA, TAX REG# 941395, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE, immediately pounced upon defendant and began beating and kicking plaintiff and accused him of being in possession of stolen property, to wit the bicycle.
29. Plaintiff vocally informed the MOB that he bicycle was his legitimately acquired private property and offered to produce documentation to that effect as proof
30. But the MOB OF POLICE OFFICERS from the 110<sup>th</sup> precinct, including but not limited to, FRED BARRAZA, TAX REG# 941395, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE, ignored plaintiff but instead brutalized his body cuffed his legs, and then chained his hands to his back and dragged him like a common slave into their patrol car after beating him repeatedly for a long period of time.

31. Plaintiff informed the MOB OFFICERS that they had severely injured him and that his shoulder legs, arms, elbows were in writhing pain and anguish.
32. The MOB OFFICERS drove plaintiff to ELMHURST HOSPITAL CENTER EMERGENCY ROOM, after leaving him in pain for THREE HOURS, WITHOUT MEDICAL ATTENTION, where he was admitted under police surveillance and chained to the hospital bed. (please see **exhibit D**, the proof of the medical reports from ELMHURST)
33. On the day of 9/29/2010, plaintiff, now in anguish and pain, was driven to the 110<sup>th</sup> precinct (after spending 12 hours chained to the bed at ELMHURST) where the Sergeant of the precinct on that day, told plaintiff that he was "**HIS SLAVE AND THEREFORE MUST DO AS HE WAS TOLD** or lose his life."
34. Plaintiff has subsequently filed CLIAMS with the CITY OF NEW YORK OFFICE OF THE COMPTROLLER, who has remained aloof with respect to providing a befitting remedy to plaintiff's torment, anguish, harm and irreparable damages to his person, and dignity.

35. The violent MOB OF NEW YORK CITY POLICE DEPARTMENT OFFICERS from the 110<sup>th</sup> precinct, including but not limited to, FRED BARRAZA, **TAX REG# 941395**, AND OFFICERS **JOHN/JANE DOES 1 TO 10 INCLUSIVE** deliberately and indifferently while acting under color of law, violated the constitutional rights of plaintiff Bey and have irreparably damaged him.

### **FIRST CLAIM**

#### **(Claims Pursuant to 42 U.S.C. § 1983 Against All Defendants for**

#### **Violations of the Fourth Amendment)**

36. Plaintiff repeats and re-alleges paragraphs from one to thirty-five above as if fully set herein.

37. The City, Kelly and Bloomberg, and The violent MOB OF NEW YORK CITY POLICE DEPARTMENT OFFICERS from the 110<sup>th</sup> precinct, including but not limited to, FRED BARRAZA, **TAX REG# 941395**, AND OFFICERS **JOHN/JANE DOES 1 TO 10 INCLUSIVE** have implemented, enforced, encouraged and sanctioned a policy, practice and/or custom of stopping and seizing African Americans without the legitimate cause or reasonable articulable suspicion of

criminality required by the Fourth Amendment. These constitutional abuses and its twin unconstitutional searches and seizures and the use of excessive force have now become a huge blot on the face of the City of New York.

38. The NYFD's constitutional abuses and violations were and are directly and proximately caused by policies, practices and/or customs devised, implemented, enforced, encouraged and sanctioned by the City, Kelly and Bloomberg, including: (1) the failure to adequately and properly screen, train, and supervise NYPD officers; (2) the failure to properly and adequately monitor and discipline NYPD officers; and (3) the overt and tacit encouragement and sanctioning of, and the failure to rectify, the NYPD's unconstitutional seizures, brutality and violence against African American Nationals.
39. Each of the Defendants has acted with deliberate indifference to the Fourth Amendment rights of Plaintiff. As a direct and proximate result of the acts and omissions of each of the Defendants, Plaintiff's Fourth Amendment rights have been violated. By acting under color of state law to deprive Plaintiff of his rights under the Fourth Amendment, the Defendants are in

violation of 42 U.S.C. § 1983, which prohibits the deprivation under color of state law of rights secured under the United States Constitution.

40. The NYPD targets Black and Latino individuals for illegal stops and frisks which result to unconstitutional seizures, violence and possible deaths in plaintiff's neighborhood. Thus, a real and immediate threat exists that Plaintiff's Fourth Amendment rights will be violated by NYPD officers in the future. Moreover, because Defendants' policies, practices and/or customs subjected Plaintiff to violent stops and frisks without any reasonable, articulable suspicion of criminality, and often on the basis of race and/or national origin, plaintiff cannot alter their behavior to avoid future violations of their Constitutional and civil rights at the hands of the NYPD.
41. Plaintiff has no adequate remedy at law and will suffer serious and irreparable harm to his constitutional rights unless Defendants are enjoined from continuing the NYPD's policy, practice and/or custom of no constitutional stops and frisks, and the policies, practices and/or customs that have directly and proximately caused such constitutional abuses.

## SECOND CLAIM

### (Claims Pursuant to 42 U.S.C. § 1983 Against All Defendants for Violations of Equal Protection Clause)

42. Plaintiff repeats and re-alleges paragraphs from one to forty-one above as if fully set herein.
43. The City, Kelly and Bloomberg, a violent MOB OF NEW YORK CITY POLICE DEPARTMENT OFFICERS from the 110<sup>th</sup> precinct, including but not limited to, FRED BARRAZA, **TAX REG# 941395, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE** have implemented, enforced, encouraged and sanctioned a policy, practice and/or custom of stopping and frisking individuals without the reasonable articulable suspicion of criminality required by the Fourth Amendment. These constitutional abuses and its twin unconstitutional searches and seizures and the use of excessive force have now become a huge blot on the face of the City of New York.
44. The NYPD targets Black and Latino individuals for NYPD's unconstitutional seizures, brutality and violence against African American Nationals. Thus, a real and immediate threat exist that Plaintiff's Fourth Amendment rights will be violated by

NYPD officers in the future. Moreover, because Defendants' policies, practices and/or customs subjected Plaintiff to violent stops, frisks and seizures without any reasonable, articulable suspicion of criminality, and often on the basis of race and/or national origin, plaintiff cannot alter their behavior to avoid future violations of their Constitutional and civil rights at the hands of the NYPD.

45. Plaintiff has no adequate remedy at law and will suffer serious and irreparable harm to his constitutional rights unless Defendants are enjoined from continuing the NYPD's policy, practice and/or custom of no constitutional stops and frisks, and the policies, practices and/or customs that have directly and proximately caused such constitutional abuses.

**THIRD CLAIM (Claims under Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000(d), *et seq.* Against the City of New York)**

46. Plaintiff repeats and re-alleges paragraphs from one to forty-six above as if fully set herein.
47. The law enforcement activities described in this complaint have been funded, in part, with federal funds.

48. Discrimination based on race in the law enforcement activities and conduct described in this complaint are prohibited under 42 U.S.C. § 2000(d), *et seq.* The acts and conduct complained of herein by the Defendants were motivated by racial animus, and were intended to discriminate on the basis of race and/or had a disparate impact on minorities, particularly Blacks and Latinos.
49. As a direct and proximate result of the above mentioned acts, Plaintiff has suffered injuries and damages and has been deprived of his rights under the civil rights laws. Without appropriate injunctive relief, these violations will continue to occur.

#### **FOURTH CLAIM**

**(Plaintiff Sean's Claims Pursuant to 42 U.S.C. § 1983 Against  
Defendants NEW YORK CITY POLICE OFFICER FRED  
BARRAZA, TAX REG# 941395, OFFICER PIMENTEL,  
SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28,  
2010, AND OFFICERS JOHN/JANE DOES 1 TO 10  
INCLUSIVE)**

50. Plaintiff repeats and re-alleges paragraphs from 1 to 49 above as if fully set herein.

51. The conduct of defendants NYPD OFFICER Defendants NEW YORK CITY POLICE OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE in engaging in and promoting and enforcing a sting operation of a violent unconstitutional seizures due to plaintiff's Nationality and Skin color, performed under color of law has left plaintiff irreparably scarred him forever and constitutes racial profiling at its most despicable description.
52. As a direct and proximate result of such acts, defendants NYPD OFFICER Defendants NEW YORK CITY POLICE OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE deprived Plaintiff Bey of his Fourth and Fourteenth Amendment rights in violation of 42 U.S.C. § 1983.
53. As a direct and proximate result of those constitutional abuses, Plaintiff Bey has suffered and will continue to suffer physical,

mental and emotional pain and suffering, mental anguish, embarrassment and humiliation.

54. The acts of defendants NYPD OFFICER Defendants NEW YORK CITY POLICE OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE were intentional, wanton, malicious, reckless and oppressive, thus entitling Plaintiff Sean to an award of punitive damages.

#### **FIFTH CLAIM**

##### **(Violation of Plaintiff's Rights Under New York Law)**

55. Plaintiff repeats and re-alleges paragraphs from 1 to 54 above as if fully set herein.
56. By the actions described above, each and every Defendant, jointly and severally, has committed the following wrongful acts against Plaintiffs, which are tortious under the Constitution and laws of the State of New York:
- a) assault and battery;
  - b) trespass;
  - c) violation of the right to privacy;

d) negligence; and

e) violation of rights otherwise guaranteed under the Constitution and laws of the State of New York.

57. In addition, Defendants City, Kelly and Bloomberg were negligent in their hiring, defendants NEW YORK CITY POLICE OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE.

58. WHEREFORE, plaintiff as to all his causes of action demands the sum of 20 million dollars (\$20 million dollars) against all defendants, THE CITY OF NEW YORK, and against NEW YORK CITY POLICE OFFICER FRED BARRAZA, TAX REG# 941395, OFFICER PIMENTEL, SERGEANT OF THE 110<sup>TH</sup> precinct on the DAY OF SEPT 28, 2010, AND OFFICERS JOHN/JANE DOES 1 TO 10 INCLUSIVE in their individual capacities as restitution, reparation, and punitive damages for all their reprehensible violent acts and bodily harm and damages sustained in the hands of all defendants.

59. Award such other and further relief as this Court may deem appropriate and equitable, including injunctive and declaratory relief as may be required in the interests of justice.

**DATED:**      **Queens, New York**  
                        July 4, 2011

By: Sankofa Bey Sekou  
Sankofa Bey Sekou, All Rights Reserved  
110-01 34 AVE  
FLUSHING, NY 11368

### NOTARY VERIFICATION

On this day, July 7, 2011, personally came before me Sankofa Bey Sekou who proved his identity to me to my satisfaction and acknowledged his signature in my presence under the complete authority and Trust in his private Sacred Religious Convictions only, and held harmless at all times.

### Declarant

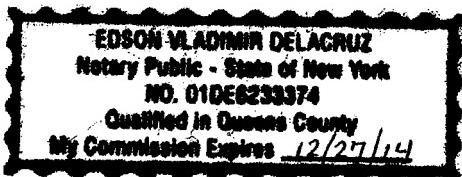
By: Sankofa Bey Sekou  
Sankofa Bey Sekou, All Rights Reserved,

BEFORE ME, BEY SEKOU

### NOTARY PUBLIC



MY COMMISSION EXPIRES ON



TO:

MICHAEL CARDOZO

CORPORATION COUNSEL OF THE CITY OF NEW YORK

ATTORNEY OF RECORD FOR ALL DEFENDANTS

100 CHURCH STREET

ROOM 3-249

NEW YORK, NY 10007

212-788-0646

## **EXHIBIT A**

# USED-THINGS STORE CORP.



**Tel: 347-981-9040 • Cell: 646-207-4897**  
35-45 102 Street • Corona, NY 11368



This posting has been published.

Your posting can be seen at <http://newyork.craigslist.org/que/bik/1978510164.html>.

To edit or delete it use the buttons below:

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## windsor single speed 56cm frame - \$280 (qns 11368)

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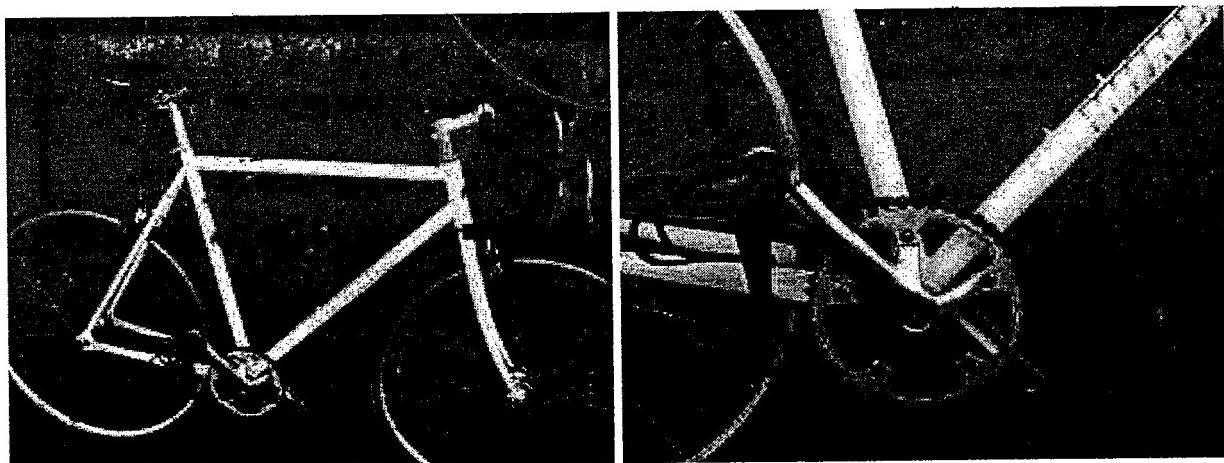
Date: 2010-09-28, 4:11PM EDT

Reply to: [sale-7ejab-1978510164@craigslist.org](mailto:sale-7ejab-1978510164@craigslist.org) [Errors when replying to ads?]

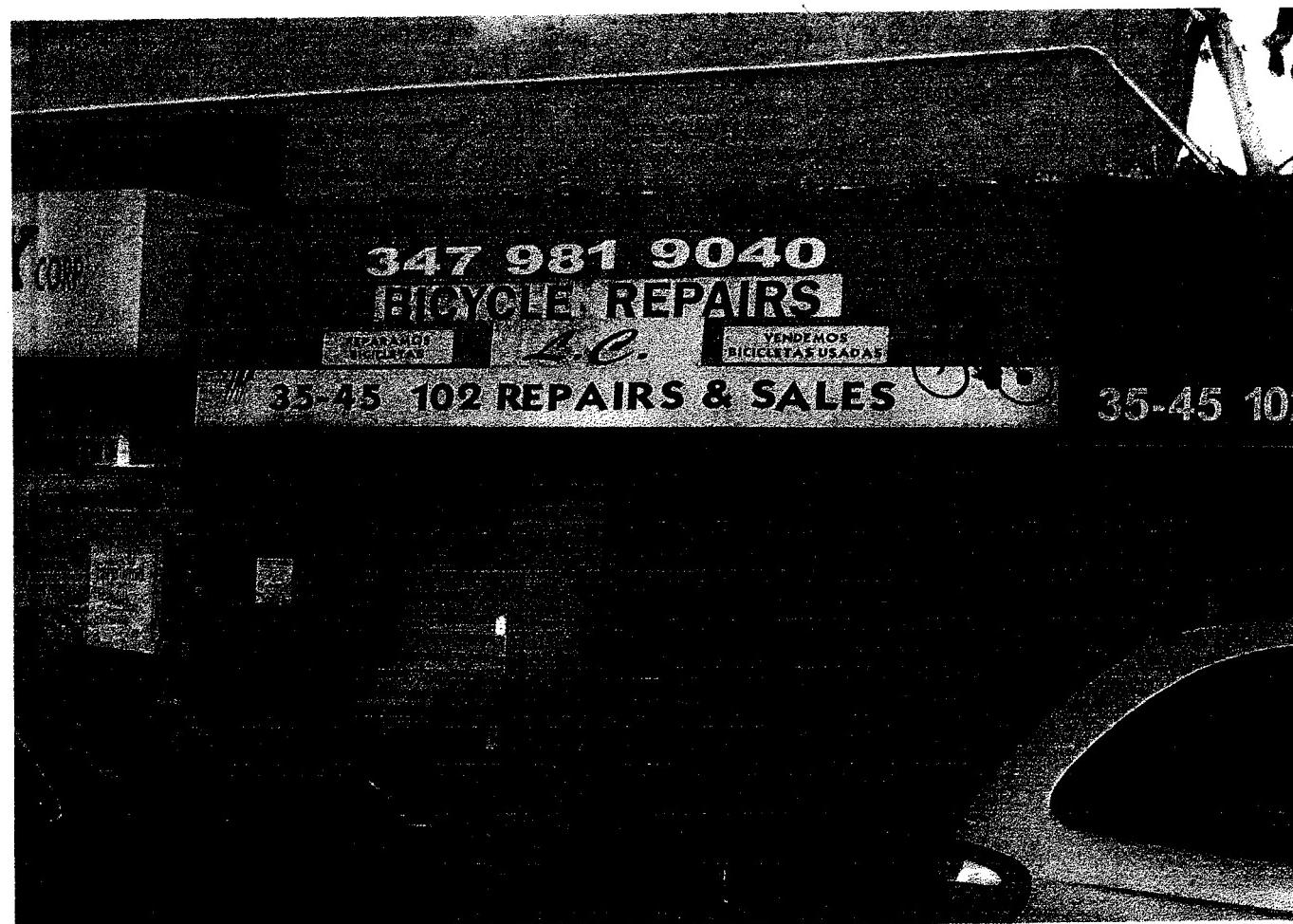
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Windsor 41-30 Cro-moly tubing frame, continental gator hardshell tires hand made in Germany, Crank by Lasco, Formula hubs and rims Frame is 22 inch not sure if that converts to 56cm (maybe). Both front and back brakes. Selling for \$280. If interested contact me by email/txt/call 3476661822

- Location: qns 11368
- it's NOT ok to contact this poster with services or other commercial interests



## **EXHIBIT C**



## **EXHIBIT D**

# Elmhurst Hospital Center Emergency Services - Elmhurst, NY 11373

Patient:	Sekou Bey	DOB:	5/15/1974
MR #:	2912486	Age/Gender:	36y M
DOS:	9/29/2010 05:10	Acct #:	2912486-1
Private Phys:		ED Phys:	Dinali Fernando, MD

<b>CHIEF COMPLAINT:</b> Knee pain, traumatic	<b>Enc. Type:</b> Initial	<b>ACUITY:</b> 5-Non Urgent/Fast Track
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### Physicians caring for patient:

Harry T. Beyer, PA  
Dinali Fernando, MD

### VITAL SIGNS

Initials/Date/Time	Temp(F)	Rt.	Pulse	Resp	Syst	Diast	Pos.	O2 Sat	FS	Pain Sc
JK2 9/29/2010 05:17	98.5	O	79	16	142	77	S	99% ra		6

### TRIAGE

Arrival: Patient arrived ambulatory via police vehicle accompanied by police to the ED's internal triage

Historian: The history is provided by the patient

Chief complaint quote: " I was slammed to the ground." Patient is under NYPD custody complaining of pain to both arms and knees after he said he was slammed to the ground. Patient denies LOC or any other pain.

The patient complains of bilateral knee and bilateral arm . The patient describes the pain as 6/10. The symptoms are constant. . Findings in the affected area include: no change in range of motion, swelling and no obvious deformity noted

Pain level 4-7 Patient appears calm/relaxed.

Mental status: The patient is alert and oriented x3. with an affect that is calm and speaking coherently

Advanced directives: The patient is undecided regarding advance directives.

Abuse screening/Domestic violence: [-]

Bed Label Form

Ready for registration

JK2: Jessie Kwong, RN 09/29/10 05:14

JK2: Jessie Kwong, RN 09/29/10 05:17

JK2: Jessie Kwong, RN 09/29/10 05:18

2011-09-16 05:18:45

### PAST HISTORY

#### Past Medical/Surgical History

The patient's pertinent past medical history is as follows: Denies any pertinent past medical history.

The patient's pertinent past surgical history is as follows: Denies any pertinent past surgical history.

Patient medication allergies: No known allergies.

Patient non-medication allergies: milk

Milk Products

Notes: Patient said that he also has allergy to MEAT &.CHEESE. < entered by: <JK2 09-29-2010 05:18>

Current medications: Patient not currently taking any medications.

JK2: Jessie Kwong, RN 09/29/10 05:17

### HISTORY OF PRESENT ILLNESS

HPI text: Patient presents in NYPD custody after a scuffle with NYPD. Patient stated he was thrown down to the ground and handcuffed while being arrested. He denied LOC neck or back pain . He complained of bilateral elbow pain and denied knee pain or lower extremity pain at this time. He denied chest or back or abdominal pain . He is otherwise healthy and denied other PMH. He also complained of an

# Elmhurst Hospital Center Emergency Services - Elmhurst, NY 11373

Patient:	Sekou Bey	DOB:	5/15/1974
MR #:	2912486	Age/Gender:	36y M
DOS:	9/29/2010 05:10	Acct #:	2912486-1
Private Phys:		ED Phys:	Dinali Fernando, MD

abrasion to the area behind the right ear. He stated his last tetanus vaccination was 7 years ago. He denied suicidal or homicidal ideation.  
NKDA.

*HTB: Harry T. Beyer, PA 09/29/10 10:42*

*HTB: Harry T. Beyer, PA 09/29/10 10:42*

## REVIEW OF SYSTEMS

CONSTITUTIONAL: No fever, no chills.

EYES: No visual changes, eye pain or discharge.

ENMT: No hearing changes, pain, discharge or infections.

NECK: No neck pain or stiffness.

CARDIAC: No chest pain, with or without exertion. Denies SOB, dyspnea with exertion, orthopnea, PND, or edema.

RESPIRATORY: No cough or SOB.

GI: No nausea, vomiting, diarrhea or abdominal pain. Denies melana,

BRBPR.

GU: No dysuria, frequency, urgency, hematuria.

MS: See HPI.

NEURO: No headache, dizziness, or weakness.

SKIN: see HPI.

ENDOCRINE: No polyuria, polydypsia, or palpitations.

*HTB: Harry T. Beyer, PA 09/29/10 10:42*

## PHYSICAL EXAM

### Physical Exam

AIRWAY: Airway is patent and clear.

BREATHING: Unlabored and clear.

CIRCULATION: Pulses intact.

CONSTITUTIONAL: Well-appearing in no apparent distress.

HEAD: Normocephalic; There is a small 1 cm linear abrasion behind the right ear. The TM is intact and there is no ear canal injury or pinna swelling or injury.

EYES: PERRL; EOMI

ENT: No abrasions, no deformities.

NECK: No posterior midline tenderness.

CARD: Regular rate and rhythm; normal S1 and S2.

RESP: Normal chest excursions with respirations; breath sounds clear and equal bilaterally.

CHEST: Non-tender to palpation.

BACK: No gross deformities; no midline tenderness. Mild diffuse bilateral soft tissue tenderness is noted. there is no ecchymosis deformity redness or STS noted.

ABD: Non distended; normal bowel sounds; soft non tender to palpation.

PELVIS: Stable; non tender.

## Elmhurst Hospital Center Emergency Services - Elmhurst, NY 11373

Patient:	Sekou Bey	DOB:	5/15/1974
MR #:	2912486	Age/Gender:	36y M
DOS:	9/29/2010 05:10	Acct #:	2912486-1
Private Phys:		ED Phys:	Dinali Fernando, MD

MSK/EXT: No gross deformities; normal range of motion in all four extremities; non-tender to palpation. No swelling or abrasion to the knees or elbows is noted. There is no ecchymosis and no deformity. There is FAROM of the elbows and knees.

SKIN: No abrasions or contusions except as noted above.

NEURO: A&Ox3; no focal motor/sensory deficit.

HTB:Harry T. Beyer, PA 09/29/10 10:45

## DIAGNOSIS

Abrasions - head/scalp

<HTB:Harry T. Beyer, PA 09/29/10 10:35>

<HTB:Harry T. Beyer, PA 09/29/10 10:35>

Notes: small linear scratch behind the right ear < entered by <HTB 09-29-2010 10:35>

## DISPOSITION

### Physician

Discharged from ED: The patient is discharged to home. The patient's condition is stable.

Follow-up: The patient is to follow-up with ER/Fast Track : in 2 day(s) Purpose of referral: Re-Evaluation and for a wound check.

General Discharge Instructions - English

### ATTENDING DOCUMENTATION

I have personally seen, evaluated and participated in this patient's care and find this patient's history and physical examination are consistent with the PA's documentation.

HTB:Harry T. Beyer, PA 09/29/10 10:35

HTB:Harry T. Beyer, PA 09/29/10 10:35

HTB:Harry T. Beyer, PA 09/29/10 10:36

DFERN:Dinali Fernando, MD 10/01/10 18:17

## DISPOSITION

Disposition is discharged.

HTB:Harry T. Beyer, PA 09/29/10 10:36

Follow-up: The patient is to follow-up with ER/Fast Track : in 2 day(s) Purpose of referral: Re-Evaluation and for a wound check.

HTB:Harry T. Beyer, PA 09/29/10 10:35

HTB:Harry T. Beyer, PA 09/29/10 10:35

HTB:Harry T. Beyer, PA 09/29/10 10:36

DFERN:Dinali Fernando, MD 10/01/10 18:17

## NURSING NOTES

09/29/10 05:17	Temp(F) 98.5	Rt. O	Pulse 79	Resp 16	Syst 142	Diast 77	Pos. S	O2 Sat 99% ra	FS 6	Pain Sc
-------------------	-----------------	----------	-------------	------------	-------------	-------------	-----------	------------------	---------	---------

## REGISTRATION

Registration

Patient has been fully registered.

# Elmhurst Hospital Center Emergency Services - Elmhurst, NY 11373

Patient:	Sekou Bey	DOB:	5/15/1974
MR #:	2912486	Age/Gender:	36y M
DOS:	9/29/2010 05:10	Acct #:	2912486-1
Private Phys:		ED Phys:	Dinali Fernando, MD

*MAZC: Marcia Azcona, CA3 09/29/10 05:14*

*MAZC: Marcia Azcona, CA3 09/29/10 06:15*

*PABH: Pabel Herrera, CA3 09/29/10 08:53*

## E/M Score

### Bed Assignments:

*WRDEFAULT INU 9/29/2010 05:12*

*FTHWI JK2 9/29/2010 05:16*

*FT4 SM3 9/29/2010 10:28*

### Status Activity:

*Awaiting triage INU 9/29/2010 05:10*

*With triage JK2 9/29/2010 05:14*

*Needs exam JK2 9/29/2010 05:19*

*PA/NP/Resident assigned HTB 9/29/2010 10:12*

*Released HTB 9/29/2010 15:31*

### Chart Documented By:

*INU: User N. Interface*

*MAZC: Marcia Azcona, CA3*

*HTB: Harry T. Beyer, PA*

*CWC: Charles W. Chan, ERPSA*

*DFERN: Dinali Fernando, MD*

*PABH: Pabel Herrera, CA3*

*JK2: Jessie Kwong, RN*

### Release Information:

*Patient released 9/29/2010 15:31*

*Released by Harry T. Beyer, PA*

### Assignments:

*Harry T. Beyer, PA assigns his/her attending as Dinali Fernando, MD 9/29/2010 10:12*

### Signatures:

*Chart electronically signed by: Harry T. Beyer, PA 9/29/2010 10:45*

*Chart electronically signed by: Dinali Fernando, MD 10/1/2010 18:17*



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(718) 334-4000

New York City  
Health and Hospitals  
Corporation  
Affiliated with  
Mt. Sinai School of Medicine

Patient:	Bey, Sekou	MR#:	2912486
Physician:	Dinali Fernando, MD	Acct #:	2912486-1
		DOB:	5/15/1974

### General Emergency Department Discharge Instructions / Medication Reconciliation

This form provides you with information about the care you received in our Emergency Department and instructions about caring for yourself after you leave the Emergency Department. If you have further questions concerning this visit contact the Adult ED at 718-334-3054 or contact Pediatric ED at 718-334-3000. Please keep this form and bring it with you should you need additional treatment. If your symptoms become worse or you are not improving as expected and you are unable to reach your usual health care provider, or get to your follow-up appointment, you should return to the Emergency Department immediately. We are available 24 hours a day.

You were treated in the Emergency Department by:

Dinali Fernando, MD 09/29/10

Harry T. Beyer, PA 09/29/10

Your diagnosis is

Main Diagnosis: Abrasion - head/scalp

Other: Second Diagnosis:

Other: Third Diagnosis:

#### What to do:

- Follow the instructions on the additional sheets you were given:
- Return to the ER if you have increased pain swelling redness or get fever.
- Follow-up: The patient is to follow-up with ER/Fast Track : in 2 day(s) Purpose of referral: Re-Evaluation and for a wound check
- Take this sheet with you when you go to your follow-up visit.
- If you have a problem arranging the follow-up visit, contact the Adult ED at 718-334-3054 or contact Pediatric ED at 718-334-3000.
- If on additional review and interpretation of your tests a change in diagnosis or treatment is needed we will attempt to contact you. It is critical that we have a current phone number for you.
- Some results, including cultures, may not be available for up to 48 hours. The Emergency Department will attempt to contact you if the results require a change in your treatment.



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Patient:	Bey, Sekou	MR#:	2912486
Physician:	Dinali Fernando, MD	Acct #:	2912486-1
		DOB:	5/15/1974

Additional information or instructions:

**CURRENT MEDICATIONS:**

This list contains all of the medications with doses and frequencies that were documented per your history and our record review. Please check your list of current medications with your pharmacist or regular doctor to make sure it is accurate.

Current medications: Patient not currently taking any medications.

**DISCONTINUED (STOPPED) /CHANGED MEDICATIONS:**

This list contains the recommended changes made to the list of the current medications above.

**PREScriptions/OVER-THE-COUNTER MEDICATIONS GIVEN AT COMPLETION OF YOUR ED VISIT:**

This list contains the names of any new prescription medications and over-the-counter medications which you were instructed to begin taking upon completion of your ED visit. It also contains the names of current medications for which you received a renewed prescription.

\* \* Take all medications as directed.

\* \* If significant side effects develop, such as a rash, difficulty breathing, or a severe upset stomach, stop the medication and call your doctor or the Emergency Department immediately.

I, Bey, Sekou, understand the instructions and will follow-up as directed. I understand that the treatment that I have just received is intended only as an emergency treatment. I will contact my family physician, clinic or the doctor to whom the Emergency Department referred me for follow-up care. If my condition worsens or does not improve as expected, I will return to the Emergency Department or contact my provider as noted above. I acknowledge that I have received, understand and can demonstrate the above instructions. Please bring this printed list of current, discontinued /changed prescription medications to your next healthcare provider visit.



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Patient:	Bey, Sekou	MR#:	2912486
Physician:	Dinali Fernando, MD	Acct #:	2912486-1
		DOB:	5/15/1974

<PTSig>

Patient Signature

<RepSig>

Representative Signature

<StaffSig>

Staff Signature

Patient /  Family Member /  Significant Other \_\_\_\_\_  
demonstrated understanding of instructions by:

Verbal repetition OR  Demonstration

Interpreter used

Interpreter Name: \_\_\_\_\_

Instructions given by: \_\_\_\_\_ <StaffSig> \_\_\_\_\_ Title \_\_\_\_\_ ID# \_\_\_\_\_

Patient: Rey, Sekou  
Physician: Dinali Fernando, MD

MR#: 2912486  
Acct #: 2912486-1  
DOB: 5/15/1974

<PTSig>

X Sekou Rey

Patient Signature

<RepSig>

Representative Signature

<StaffSig>

Staff Signature

Patient /  Family Member /  Significant Other  
demonstrated understanding of instructions by:

Verbal repetition OR  Demonstration

Interpreter used

Interpreter Name: \_\_\_\_\_

Instructions given by: \_\_\_\_\_

<StaffSig>

Title

ID#



79-01 Broadway, Elmhurst, NY 11373  
(718) 334-4000

New York City  
Health and Hospitals  
Corporation  
Affiliated with  
Mt. Sinai School of Medicine

Patient: Bey, Sekou  
Physician: Sandra Sallustio, MD

MR#: 2912486  
Acct #: 2912486-2  
DOB: 5/15/1974

Additional information or instructions:

**CURRENT MEDICATIONS:**

This list contains all of the medications with doses and frequencies that were documented per your history and our record review. Please check your list of current medications with your pharmacist or regular doctor to make sure it is accurate.

**DISCONTINUED (STOPPED) /CHANGED MEDICATIONS:**

This list contains the recommended changes made to the list of the current medications above.

**PRESCRIPTIONS/OVER-THE-COUNTER MEDICATIONS GIVEN AT COMPLETION OF YOUR ED VISIT:**

This list contains the names of any new prescription medications and over-the-counter medications which you were instructed to begin taking upon completion of your ED visit. It also contains the names of current medications for which you received a renewed prescription.

\*\* Take all medications as directed.

\*\* If significant side effects develop, such as a rash, difficulty breathing, or a severe upset stomach, stop the medication and call your doctor or the Emergency Department immediately.

I, Bey, Sekou, understand the instructions and will follow-up as directed. I understand that the treatment that I have just received is intended only as an emergency treatment. I will contact my family physician, clinic or the doctor to whom the Emergency Department referred me for follow-up care. If my condition worsens or does not improve as expected, I will return to the Emergency Department or contact my provider as noted above. I acknowledge that I have received, understand and can demonstrate the above instructions. Please bring this printed list of current, discontinued /changed prescription medications to your next healthcare provider visit.



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Corporation  
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Mt. Sinai School of Medicine

Patient: Bey, Sekou  
Physician: Sandra Sallustio, MD

MR#: 2912486  
Acct #: 2912486-2  
DOB: 5/15/1974

A handwritten signature in black ink, appearing to read "Sekou Bey".

Patient Signature

A handwritten signature in black ink, appearing to read "Sandra Sallustio".

Representative Signature

A handwritten signature in black ink, appearing to read "Staff Signature".

Staff Signature

Patient /  Family Member /  Significant Other \_\_\_\_\_  
demonstrated understanding of instructions by:

Verbal repetition OR  Demonstration

Interpreter used

Interpreter Name: \_\_\_\_\_

Instructions given by: \_\_\_\_\_

<StaffSig> VOGT

PA-C

013614

Title

ID#



MICHAEL R. BLOOMBERG  
MAYOR

**CIVILIAN COMPLAINT REVIEW BOARD**  
40 RECTOR STREET, 2<sup>ND</sup> FLOOR  
NEW YORK, NEW YORK 10006 ♦ TELEPHONE (212) 442-8833  
[www.nyc.gov/ccrb](http://www.nyc.gov/ccrb)

JOAN M. THOMPSON  
EXECUTIVE DIRECTOR

January 21, 2011

Mr. Sekou Bey  
110-01 34th Avenue  
Corona, NY 11368

Re: CCRB case number 201013955

Dear Mr. Bey:

I am the investigator assigned to the above-referenced complaint, which was filed with the Civilian Complaint Review Board. I am currently investigating your allegation that (a) member(s) of the New York City Police Department engaged in misconduct.

I may be contacting you for additional information regarding your case. Please let me know if you change your address and/or telephone number so that I can contact you. If you have any questions about the case, please call me at (212) 442-8757.

Sincerely,

A handwritten signature in black ink, appearing to read "Jihan Varisco".

Jihan Varisco  
Investigator



79-01 Broadway, Elmhurst, NY 11373  
(718) 334-4000

New York City  
Health and Hospitals  
Corporation  
Affiliated with  
Mt. Sinai School of Medicine

Patient: Bey, Sekou  
Physician: Dinali Fernando, MD

MR#: 2912486  
Acct #: 2912486-1  
DOB: 5/15/1974

---

Additional information or instructions:

**CURRENT MEDICATIONS:**

This list contains all of the medications with doses and frequencies that were documented per your history and our record review. Please check your list of current medications with your pharmacist or regular doctor to make sure it is accurate.

Current medications: Patient not currently taking any medications.

**DISCONTINUED (STOPPED) /CHANGED MEDICATIONS:**

This list contains the recommended changes made to the list of the current medications above.

**PRESCRIPTIONS/OVER-THE-COUNTER MEDICATIONS GIVEN AT COMPLETION OF YOUR ED VISIT:**

This list contains the names of any new prescription medications and over-the-counter medications which you were instructed to begin taking upon completion of your ED visit. It also contains the names of current medications for which you received a renewed prescription.

*\*\* Take all medications as directed.*

*\*\* If significant side effects develop, such as a rash, difficulty breathing, or a severe upset stomach, stop the medication and call your doctor or the Emergency Department immediately.*

I, Bey, Sekou, understand the instructions and will follow-up as directed. I understand that the treatment that I have just received is intended only as an emergency treatment. I will contact my family physician, clinic or the doctor to whom the Emergency Department referred me for follow-up care. If my condition worsens or does not improve as expected, I will return to the Emergency Department or contact my provider as noted above. I acknowledge that I have received, understand and can demonstrate the above instructions. Please bring this printed list of current, discontinued /changed prescription medications to your next healthcare provider visit.



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Health and Hospitals  
Corporation  
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Mt. Sinai School of Medicine

Patient: Bey, Sekou  
Physician: Dinali Fernando, MD

MR#: 2912486  
Acct #: 2912486-1  
DOB: 5/15/1974

### **General Emergency Department Discharge Instructions / Medication Reconciliation**

This form provides you with information about the care you received in our Emergency Department and instructions about caring for yourself after you leave the Emergency Department. If you have further questions concerning this visit contact the Adult ED at 718-334-3054 or contact Pediatric ED at 718-334-3000. Please keep this form and bring it with you should you need additional treatment. If your symptoms become worse or you are not improving as expected and you are unable to reach your usual health care provider, or get to your follow-up appointment, you should return to the Emergency Department immediately. We are available 24 hours a day.

You were treated in the Emergency Department by:

Dinali Fernando, MD 09/29/10

Harry T. Beyer, PA 09/29/10

Your diagnosis is

Main Diagnosis: Abrasion - head/scalp

Other: Second Diagnosis:

Other: Third Diagnosis:

#### **What to do:**

- Follow the instructions on the additional sheets you were given:
- Return to the ER if you have increased pain swelling redness or get fever.
- Follow-up: The patient is to follow-up with ER/Fast Track : in 2 day(s) Purpose of referral: Re-Evaluation and for a wound check
- Take this sheet with you when you go to your follow-up visit.
- If you have a problem arranging the follow-up visit, contact the Adult ED at 718-334-3054 or contact Pediatric ED at 718-334-3000.
- If on additional review and interpretation of your tests a change in diagnosis or treatment is needed we will attempt to contact you. It is critical that we have a current phone number for you.
- Some results, including cultures, may not be available for up to 48 hours. The Emergency Department will attempt to contact you if the results require a change in your treatment.

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF QUEENS

THE PEOPLE OF THE STATE OF NEW YORK  
VS

BEY, SEKOU

Defendant

110-01 24 AVE

Address

CORONA NY 11368  
City State Zip

Docket Number: 2010QN057346

165.40

Arraignment Charges

CERTIFICATE OF DISPOSITION  
NUMBER: 171793

01/01/1975

Date of Birth

1748402Z

NYSID Number

09/28/2010

Date of Arrest/Issue

Summons No:

Case Disposition Information:

Date Court Action  
01/12/2011 DISMISSED AND SEALED

Judge  
MELENDEZ, S

Part  
JP1

**SEALED**

**d**u*s*c*o*u*n*t*o* **to** *S*e*c*o*n*tr*o* **Section 160.50 of the CPL**

NO FEE CERTIFICATION

GOVERNMENT AGENCY COUNSEL ASSIGNED

NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED

SOURCE ACCUSATORY INSTRUMENT DOCKET BOOK/CRIMS CRC3030 [CRS963]

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN  
THIS COURT.

WARE, K K. Ware  
COURT OFFICIAL SIGNATURE AND SEAL

05/19/2011  
DATE FEE: NONE

(CAUTION: THIS DOCUMENT IS NOT OFFICIAL UNLESS EMBOSSED WITH THE COURT  
SEAL OVER THE SIGNATURE OF THE COURT OFFICIAL.)

246

## Fingerprint Response Summary

NYSID: 1748402Z ORI: NY0340110 NYCPD PCT 110

NYSID: 01748402Z FBI Number: Current Transaction Name: JOHN DOE  
Fax Number: Q49246 Current Arrest Number: Q10658048 DOB: 01/01/1975

### ● Alerts

\* See Additional Information at the bottom of this response for more banners pertaining to the criminal history

This NYSID Number was used previously and is now reassigned to this individual.

There is no Criminal History Information associated with this history.

### ● Identification Information

Name: PIERRE R AUGUSTIN JOHN DOE  
Sex: Race: Ethnicity: Skin Tone:  
Male Not Hispanic  
Black Dark/Dark  
Eye Color: Hair Color: Height: Weight:  
Brown Black 5' 08" 165  
SSN: Place of Birth:  
073-74-0132 Unknown New York Unknown

## Fingerprint Response

ORI: NY0340110  
NYCPD PCT 110  
NYSID : 1748402Z

Identification      Summary      Criminal History      Job/License      Wanted      Missing      NCIC/III

### ● Transaction Data

Name: JOHN DOE  
Transaction ID: 13005905  
Agency ORI: NY0340110  
Type of Submission: ARREST  
Date Fingerprinted: September 29, 2010  
Reason Fingerprinted: Adult Arrest

N/N  
F5  
9/29/10

### Arrest/Charge Information

Arrest Date: September 28, 2010 06:21 pm (18:21:00)

Name: JOHN DOE  
Date of Birth: January 01, 1975  
Sex: Male  
Race: Black  
Ethnicity: Not Hispanic  
Height: 5' 08"  
Weight: 165  
Age at time of crime/arrest: 35  
Fax Number: Q49246  
Place of Arrest: NYCPD 110  
Arrest Type: Unknown  
Date of Crime: September 28, 2010  
Place of Crime: NYCPD 1

Application Number:09212030

Type of Application: School Bus Driver

Comments: BUS DRIVER JOB APPLICATION

Name: PIERRE R AUGUSTIN

Address: 110 01 34 AVE, CORONA, NY

Date of Birth: May 30, 1974

SSN: 073740132

Agency ID: 40132

Date of Application: November 30, 2001

Application Agency: NYS Dept of Motor Vehicle- Bus Driver Unit

Application Number:40132

### ● Wanted Information

There is no NYS Wanted Information associated with this history.

### ● Missing Person Information

There is no NYS Missing Person Information associated with this history.

### ● Additional Information

**Summary Counts:** The Transaction data may also be included in a cycle in the rap. If it is included, information from the transaction will be used in calculating the Summary section. If it is not included in any of the cycles then the transaction information will not be part of the Summary section data.

**Courts Please Note:** Pursuant to CPL 160.40 (02) one copy of a fingerprint based rapsheet must be provided to the Defense Attorney.

According to our files, this individual does not appear to have History in III. However this does not preclude the possibility that the FBI does have a record. If you desire this information, please submit a request directly to the FBI.

## *Federal NCIC, III and/or FBI Response*

### ● NCIC Information

The following information is provided in response to your request for a search of the NCIC Person files based on:

- Name: DOE, JOHN
- Sex: M
- Race: B
- Date of Birth: 01/01/1975

NY0303000

NO NCIC WANT SOC/073740132

NO NCIC WANT NAM/AUGUSTIN, PIERRE R DOB/19750101 RAC/B SEX/M

\*\*\*MESSAGE KEY QW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION. ALL OTHER NCIC PERSONS FILES ARE SEARCHED WITHOUT LIMITATIONS.

WARNING: Release of any of the information presented in this computerized Case History to unauthorized

## Additional Fingerprint Response

**ORI: NY0340110  
NYCPD PCT 110  
NYSID : 1748402Z**

New York State Division of Criminal Justice Services  
4 Tower Place

Albany NY 12203-3764

Tel: 1-800-262-DCJS

Sean M. Byrne, Acting Commissioner of the NYS Division of Criminal Justice Services

### ● Transaction Data

Name: JOHN DOE  
 Transaction ID: 13005905  
 Agency ORI: NY0340110  
 Type of Submission: ARREST  
 Date Fingerprinted: September 29, 2010  
 Reason Fingerprinted: Adult Arrest

### Arrest/Charge Information

Arrest Date: September 28, 2010 06:21 pm (18:21:00)

Name:	JOHN DOE
Date of Birth:	January 01, 1975
Sex:	Male
Race:	Black
Ethnicity:	Not Hispanic
Height:	5' 08"
Weight:	165
Age at time of crime/arrest:	35
Fax Number	Q49246
Place of Arrest:	NYCPD 110
Arrest Type:	Unknown
Date of Crime:	September 28, 2010
Place of Crime:	NYCPD 1
Criminal Justice	
Tracking No.:	64434149J
Arresting Agency:	NYCPD PCT 110
Arresting Officer ID:	941395
Arrest Number:	Q10658048
Arraignment:	Queens County Criminal Court
Arrest Charges:	
-- Criminal Possession Stolen Property-5th Degree	
PL 165.40     Class A    Misdemeanor Degree 5    NCIC 2804	

### ● Transaction Status Information

Activity	Date/Time	Elapsed
Initial Transaction Received	September 29, 2010 01:33:03 am	
Initial Transaction Received	September 29, 2010 01:33:03 am	
Transaction Completed	September 29, 2010 02:23:22 am	0 hours 50 mins
Rapsheet Produced	September 29, 2010 02:23 am	

### ● FBI Identification Results

The FBI identification response, received on September 29, 2010, indicated no FBI data other than New York State history. The information previously provided in your NYS Criminal Justice Services fingerprint response represents the computerized history for this individual.

## PERSONAL INJURY

This claim must be filed in person or by registered or certified mail within 90 days from the date of occurrence at the Office of the Comptroller, Municipal Building, Room 1225, 1 Centre Street, New York, N.Y. 10007.

To The Comptroller of The City of New York: I herewith present my claim against the City of New York.

## TYPE OR PRINT INFORMATION

## PERSONAL INFORMATION

Name Of Claimant	Last	First	Age	Date of Birth	Month Day Year	RECEIVED CITY OF NEW YORK TUESDAY, OCTOBER 12, 2010 BY [initials]
Bey	SPIKOW SANTINA		25	Sept 1974		
Address	Number & Street	City (Borough)	State	Zip	Home Phone	RECEIVED CITY OF NEW YORK TUESDAY, OCTOBER 12, 2010 BY [initials]
C/0 110-01347 R	AVE Flushing, N.Y.	NYC	11368	718-848-8222		AM: E
ACCIDENT INFORMATION						
Date of Accident	09 Month	12 Day	10 Year	Exact Location of Accident	NYFD 110 PRECINCT 94-41 43rd AVE, Elmhurst, N.Y. 11373	
Time	12:10 am		Describe How Accident Happened:		Five more Police Officers tackled, Slammed me to the ground, bounced on me and attacked me. My head was stamped to the ground at the precinct.	
Was There a Witness to Accident?	<input type="checkbox"/> Yes <input type="checkbox"/> No		If Yes, Give Name,	LAST	FIRST	
Address & Phone No. of Witness:	P.U. PIMENTEL					
NUMBER & STREET	CITY (BOROUGH)		STATE	ZIP	Phone Number	
110 PRECINCT 94-41 43rd AVE Elmhurst, N.Y.				11368	718-476-9311	

Were Police Present at the Accident Scene? Yes  No

P.D. Shield # PRECINCT # Accident Report #

Where Was First Medical Treatment Received?		Date Of First Treatment:	
Elmhurst Hospital Center		09/29/10	
Month Day Year			
Was Claimant Taken To Hospital By N.Y.P. <input type="checkbox"/> Yes Ambulance? <input checked="" type="checkbox"/> No	If Yes, Give Dates Treated In <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Emergency Room? <input type="checkbox"/> No	Admitted To Hospital? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	From 9/28/10 To 9/29/10
Name of Treating Physician: SANTINA SANTINA 79-01 Broadway			
Address Of Doctor:			
Number & Street DINAI, FERNANDO CITY (BOROUGH) QUEEN		State NY	Zip 11373
Describe Your Injury In Detail: Abrasion - Head/Scalp. Body aches, Headaches - Pain all over my body. Head injury, Headaches			
EMPLOYMENT INFORMATION			
Indicate Status At Time of Accident	<input checked="" type="checkbox"/> Employed <input type="checkbox"/> Housewife <input type="checkbox"/> Unemployed <input type="checkbox"/> Retired	If Employed, Weekly Salary \$ 3000 SALARIES	Number of Working Days Lost, If Any 7
Employer's Name HOWARD CO. INC.		Social Security # 111-11-1111	Amount Of Pay Lost (If any) \$ - -

## PERSONAL INJURY

This claim must be filed in person or by registered or certified mail within 90 days from the date of occurrence at the Office of the Comptroller, Municipal Building, Room 1225, 1 Centre Street, New York, N.Y. 10007.

To The Comptroller of The City of New York: I herewith present my claim against the City of New York.

## TYPE OR PRINT INFORMATION

## PERSONAL INFORMATION

Name Of Claimant	Last	First	Age	Date of Birth	/ /
------------------	------	-------	-----	---------------	-----

Month Day Year

Bey

SEKOU SANKOFIA

36

051574

Address	Number & Street	City (Borough)	State	Zip	Home Phone
---------	-----------------	----------------	-------	-----	------------

110-01 34TH AVE	CORONA	NY	11368	718 898 8692
-----------------	--------	----	-------	--------------

Date of Accident	09 / 29 / 2010	Exact Location of Accident	94-41 43rd Ave. Elmhurst, NY 11373
------------------	----------------	----------------------------	------------------------------------

Time	12:09 AM PM	Describe How Accident Happened:	I Was asking the police "officer's" Handcuff me From the Front rather than from the back. I was tackled and Slam to the ground beaten up. Attacked by Police officers.
------	----------------	---------------------------------	--

Was There a Witness to Accident?	( <input type="checkbox"/> Yes) ( <input type="checkbox"/> No)	If Yes, Give Name,	LAST	FIRST
----------------------------------	---	--------------------	------	-------

P.O.	PIMENTEL
------	----------

Address &amp; Phone No. of Witness:

NUMBER & STREET	CITY (BOROUGH)	STATE	ZIP	Phone Number
94-41 43rd Ave. Elmhurst, N.Y.			11368	718-476-9311

Were Police Present at the Accident Scene? Yes() No()

P.D. Shield # PRECINCT # 110 Accident Report # \_\_\_\_\_

## MEDICAL INFORMATION

Date Of First Treatment:

09/29/10  
Month Day Year

Where Was First Medical Treatment Received?	Elmhurst Hospital Center
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Was Claimant Taken To Hospital By Ambulance?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	If Yes, Give Dates Treated In Emergency Room?	<input type="checkbox"/> Yes <input type="checkbox"/> No	Admitted To Hospital?	From 9/29/10 To 9/29/10
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Name of Treating Physician: Address Of Doctor:	79-01 Broadway	State Ny Zip 11373
Number & Street	SANDRA SALLUSTIUCY (Borough) QUEENS	

## Describe

Your Injury In Detail

ABRASION - Head/Scalp

## EMPLOYMENT INFORMATION

Indicate Status At Time of Accident	<input checked="" type="checkbox"/> Employed <input type="checkbox"/> Unemployed <input type="checkbox"/> Retired	If Employed, Weekly Salary	N/A	Number of Working Days Lost, If Any	7
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Employer's Name	Social Security #	Amount Of Pay Loss
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79-01 Broadway, Elmhurst, NY 11373  
(718) 334-4000

New York City  
Health and Hospitals  
Corporation  
Affiliated with  
Mt. Sinai School of Medicine

Patient: Bey, Sekou  
Physician: Sandra Sallustio, MD

MR#: 2912486  
Acct #: 2912486-2  
DOB: 5/15/1974

### General Emergency Department Discharge Instructions / Medication Reconciliation

This form provides you with information about the care you received in our Emergency Department and instructions about caring for yourself after you leave the Emergency Department. If you have further questions concerning this visit contact the Adult ED at 718-334-3054 or contact Pediatric ED at 718-334-3000. Please keep this form and bring it with you should you need additional treatment. If your symptoms become worse or you are not improving as expected and you are unable to reach your usual health care provider, or get to your follow-up appointment, you should return to the Emergency Department immediately. We are available 24 hours a day.

You were treated in the Emergency Department by:

Sandra Sallustio, MD 10/01/10

Justin Vogt, PA 10/01/10

Your diagnosis is

Main Diagnosis: Wound check

Other: Second Diagnosis:

Other: Third Diagnosis:

#### What to do:

- Follow the instructions on the additional sheets you were given:
- Follow-up: The patient is to follow-up with the **Diagnostic Clinic**, follow up card is \*\*\*BLUE\*\*\* at **718-334-2715** to schedule an appointment within one week. The Diagnostic Clinic is located on the 1st floor of the D building - Room D1-24.
- Take this sheet with you when you go to your follow-up visit.
- If you have a problem arranging the follow-up visit, contact the Adult ED at 718-334-3054 or contact Pediatric ED at 718-334-3000.
- If on additional review and interpretation of your tests a change in diagnosis or treatment is needed we will attempt to contact you. It is critical that we have a current phone number for you.
- Some results, including cultures, may not be available for up to 48 hours. The Emergency Department will attempt to contact you if the results require a change in your treatment.